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November 6, 2019

Via Electronic Filing

The Honorable Esther Salas
United States District Court for the District of New Jersey
MLK Building & US Courthouse
50 Walnut St., Room MLK 2D
Newark, NJ 07101

Re: Williams v. BASF Catalysts, LLC, et al., – No. 2:11-cv-01754

Dear Judge Salas:

I write as co-counsel for Plaintiffs in the above captioned action and hereby submit this motion to withdraw as co-counsel for Plaintiffs. I recognize that this Motion to Withdraw should be filed on PACER as normal Motion but PACER is not allowing me to withdraw as co-counsel—without also withdrawing other plaintiffs' counsel as well. After attempting to resolve this issue with the Clerk's Office, I thought it easier to simply write to Your Honor directly.

Respectfully,

JEFFREY M. POLLOCK

Encl.

cc: Counsel of Record *via* ECF

A Pennsylvania Limited Liability Partnership

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California Colorado Connecticut Delaware District of Columbia Florida Illinois
Minnesota Nevada New Jersey New York Pennsylvania Texas Washington

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

KIMBERLEE WILLIAMS, et al.,

Plaintiffs,

v.

BASF CATALYSTS, LLC, et al.

Defendant.

Civil Action No.: 11:1754 (JLL-JAD)

NOTICE OF MOTION

TO: VIA ELECTRONIC MAIL
Counsel of Record

PLEASE TAKE NOTICE that Fox Rothschild LLP's Motion to Withdraw as Counsel (the "Motion") will be presented at the convenience of the Court. You have until December 2, 2019 to respond to the Motion.

FOX ROTHSCHILD LLP

By: /s/ Jeffrey M. Pollock
Jeffrey M. Pollock
Certified by the Supreme Court
Of New Jersey as a Civil Trial Lawyer
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Date: November 5, 2019

*Co-Counsel for Plaintiff,
Kimberlee Williams, et al.*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

KIMBERLEE WILLIAMS, *et al.*,

Plaintiffs,

v.

BASF CATALYSTS, LLC, *et al.*

Defendant.

C.A. No. 13-00500 LPS

MOTION TO WITHDRAW AS COUNSEL

1. Pursuant to F.R.Civ.P. 75(d) and Local Civil Rule 102.1, I file this motion to withdraw my appearance and seek leave of Court to be dismissed as counsel in this matter. Withdrawal is to be freely granted so long as other competent counsel either remain on the matter or other competent counsel are substituted. Cohen Placitella & Roth is remaining as counsel in this matter and has amply demonstrated that they are capable counsel on behalf of both Plaintiff Williams as well as the proposed Class Members.
2. On October 28, 2011, I filed a Notice of Appearance as co-counsel with Cohen Placitella & Roth on behalf of All Plaintiffs. Case 2:11-cv-01754-ES-JAD (document 87). I have been actively involved as co-counsel since that point in time.
3. On May 24, 2012, Christopher M. Placitella and I jointly filed a letter brief in response to BASF's letter brief of May 22, 2012. Case 2:11-cv-01754-ES-JAD (document 112).
4. There were numerous discovery disputes and extensive briefing regarding defendant's motions to dismiss some or all counts and other defense motions in opposition to Plaintiff's amended complaint filed between October 28, 2011 and December 12, 2012,

when Judge Stanley R. Chesler dismissed plaintiffs' complaint. Case 2:11-cv-01754-ES-JAD (document 129).

5. In response to the District Court's Opinion (document 129), dismissing plaintiffs' complaint, I participated with my co-counsel in filing a Notice of Appeal (January 8, 2013, document 131).
6. I filed my Entry of Appearance with the United States Court of Appeals for the Third Circuit on January 22, 2013, Case 13-1089, Document 003111142479 (a true and accurate of my Entry of Appearance is attached hereto as Exhibit A).
7. On March 13, 2014, I appeared with my co-counsel Cohen Placitella & Roth and I argued Plaintiffs' appeal before the United States Court of Appeals for the Third Circuit.
8. The Third Circuit United States Court of Appeals issue a favorable opinion, reversing the District Court's dismissal. Case 13-1089, document 003111725705 (September 3, 2014).
9. The Mandate of the United States Court of Appeals was issued on December 9, 2014 and the matter was assigned ultimately to Chief Judge Linares on March 3, 2015.
10. On April 1, 2015, Judge Chesler's decision of December 12, 2012 was vacated and the Amended Class Action.
11. As co-counsel for plaintiffs we filed an Amended Complaint on July 16, 2015. Between April 2015 and September 21, 2017, there were numerous discovery disputes and I worked with my colleagues at Cohen Placitella & Roth on drafting responses and preparing legal argument. Due to the volume of discovery disputes, the Court appointed Special Master Roberto A. Rivera-Soto on September 21, 2017.
12. During the time period in which Special Master Roberto Rivera-Soto served on discovery, there was a rapid number of discovery disputes. I worked with my co-counsel

at Cohen Placitella & Roth on these disputes. One are of dispute was Defendant's efforts to engage in discovery of attorney-client and work product from counsel in the underlying matters. See, e.g., 2:11-cv-01754-ES-JAD, dated February 21, 2017 "Plaintiff's Brief in Support of Non-Parties The Rosenberg Law Firm LLP's and Jeffrey Schwartz, Esq.'s Motion to Quash Subpoena Duces Tecum).

13. On January 29, 2018 Cohen Placitella & Roth and I filed a Motion to Certify the Class. Case 2:11-cv-01754-ES-JAD, Document 418.
14. On February 20, 2018, co-counsel Cohen Placitella & Roth and I filed a Notice of Motion to Supplement the Record For the Motion to Determine the Applicability of the Crime-Fraud and *Kozlov* Exceptions to the Defendant's Privilege Claims. Case 2:11-cv-01754-ES-JAD (document 443, dated February 20, 2018).
15. On April 30, 2018, Cohen Placitella & Roth and I filed an application for an Stay of the Special Discovery Master's Order of April 23, 2018 (document 485).
16. On May 9, 2018, I filed reply papers in order to compel BASF's risk management witness to appear—and to compel their production of documents. 2:11-cv-01754-ES-JAD, document 511 (May 9, 2018).
17. On June 4, 2018 co-counsel Cohen Placitella & Roth and I filed Plaintiff's Opposition to Defendant BASF's Appeal of Special Discovery Master's May 3, 2018 Order entered as ECF No. 501. Our appeal was filed as document 546 on June 4, 2018.

RELIEF REQUESTED

18. As no trial date has been set in this matter and as the Firm of Cohen Placitella & Roth, my co-counsel, has demonstrated repeatedly both their competence and their commitment to Plaintiff Williams and to the potential Class members, I hereby seek leave of Court to withdraw my appearance.

WHEREFORE, Movant requests that they be permitted to withdraw as attorneys for the Plaintiff in the above matter.

FOX ROTHSCHILD LLP

By: /s/ Jeffrey M. Pollock
Jeffrey M. Pollock
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New Jersey As a Civil Trial Lawyer
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Date: November 5, 2019

*Attorneys for Plaintiff,
Kimberlee Williams, et al.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the attached pleading were served this 5th day of November, 2019 on the individuals listed below in the manner specified:

VIA ECF and ELECTRONIC MAIL
Counsel of Record

By: /s/ Jeffrey M. Pollock
JEFFREY M. POLLOCK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

KIMBERLEE WILLIAMS, *et al.*,

Plaintiffs,

v.

BASF CATALYSTS, LLC, *et al.*

Defendant.

C.A. No. 13-00500 LPS

ORDER

IT IS HEREBY ORDERED this ____ day of _____, 2019, that the Motion of Jeffrey M. Pollock, Esquire, and Fox Rothschild, LLP to Withdraw as Counsel for Plaintiff, Kimberlee Williams, et al., in the above captioned matter is hereby GRANTED.

The Honorable Esther Salas
United States District Court Judge